

**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA,**

**Petitioner,**

**V.**

**MELINA ALI,**

**Respondent.**

**Case No. 13-cv-03398-PWG**

**RESPONDENT MELINA ALI'S RESPONSE TO ORDER TO SHOW CAUSE**

Respondent Melina Ali responds to the Court's February 15, 2017 Order as follows:

1. On February 15, 2017, the Court entered an Order directing the parties to show cause “why this case should not be administratively closed until such time as (1) the Fourth Circuit decides the appeal; or (2) the United States seeks further relief in this Court with respect to the contempt Order.” Document 67.

2. Respondent does not object to the Court administratively closing this case until further action becomes necessary.

3. Ali requests, however, that the Court clarify and/or amend the conditions for reopening. Specifically, Ali requests that the second specified time at which the case would be subject to reopening not be limited to *the United States* seeking “further relief in this Court with respect to the contempt Order,” but rather allow for reopening if *either party* seeks further relief with respect to the contempt Order. Among other things, Ali might seek a ruling regarding purgation of contempt or otherwise seek relief from the sanctions imposed on her by the Court.

4. In addition, Ali requests that the time for reopening at the conclusion of the appeal be clarified to specify that it refers to the date on which the Fourth Circuit's mandate is issued. Although Ali does not believe it to have been the Court's intent, the language in the February 15, 2017 Order, "such time as...the Fourth Circuit decides the appeal," might be interpreted as referring to the date on which the Fourth Circuit issues its opinion, rather than the date on which the mandate is issued. *Cf. Youghioghenny & Ohio Coal Co. v. Milliken*, 200 F.3d 942, 951 (6th Cir. 1999) ("Although the issuance of the mandate is largely a formality, the court of appeals retains jurisdiction over the case until it issues...").

5. Accordingly, Ali respectfully requests that the Court clarify that the closure extends until either (1) the mandate is issued; or (2) either party seeks further relief with respect to the contempt Order.

Dated: March 1, 2017

Respectfully submitted,

/s/ Michael S. Rothman

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 2nd day of March, 2017, I caused a copy of the foregoing to be sent by the United States District Court CM/ECF electronic filing system to Geoffrey J. Klimas, Esq. and Kavitha Bondada, Esq., United States Department of Justice, P.O. Box 227, Washington, DC 20044, Geoffrey.J.Klimas@usdoj.gov; Kavitha.bondada@usdoj.gov.

/s/ Michael S. Rothman

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Michael S. Rothman